

FORM SUMMARY

Name of Form: Garnishee Defendant Answer for Non-Earnings

Form Number: CV-416
SC-505

Statutory Reference: Chapter 799 and §812.11, Wisconsin Statutes

Purpose of Form: A garnishee uses this form to answer a garnishment complaint.

Who Completes It: Garnishee

Distribution of Form: Original to court, copies to creditor/attorney and debtor/attorney.

Accompanying Forms: Generally none.

New Form/Modification: Modification, last update 05/00.

Modifications: Added lines in caption section.

Comments: This form is used exclusively to answer a garnishment summons and complaint for non-earnings. Separate forms exist for the garnishment of earnings.

The earnings garnishment forms use "creditor", "debtor", and "garnishee" as party types, while the previous non-earnings garnishment forms contained the traditional language of "plaintiff", "defendant", and "garnishee defendant". Section 801.01 defines the plaintiff as the judgment creditor and the defendant as the judgment debtor (or spouse). RMC believes that §§812.04(2) and 812.44(1)(a) allow the non-earnings garnishment forms to be modified to reflect the new common usage as long as the rights of the parties are not altered.

About this form: This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.

If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.